



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/911,104	08/12/97	GULLBERG	L 1568

007812
SMITH-HILL AND BEDELL
12670 N W BARNES ROAD
SUITE 104
PORTLAND OR 97229

PM92/0701

EXAMINER KIM, H

ART UNIT 3629	PAPER NUMBER 13
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DATE MAILED: 07/01/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/911,104

Applicant(s)

Gullberg

Examiner

Harry C. Kim

Group Art Unit

3629



☒ Responsive to communication(s) filed on Apr 20, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-13 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1 and 5-13 is/are rejected.

☒ Claim(s) 2-4 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5, 7, & 12

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Election/Restriction

Applicant's election of Group I (Fig. 1) in Paper No. 11 is acknowledged. However, upon consideration of the prior art, the restriction requirement of the last Office action is hereby withdrawn. Consequently, all of the claims will be treated on their merits. Any inconvenience in this matter is regretted.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 10-13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 10, the phrase "the second bore" of line 2 lacks proper antecedent basis. As understood, it should be corrected to "the blind bore".

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Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1 and 5-9 are rejected under 35 U.S.C. § 102(e) as being anticipated by Mullenberg. Mullenberg discloses all of the claimed structural limitations of an article of manufacturing and method (Fig. 1) comprising a first shaft 2 having a flange with a through bore 6, a second shaft 1 having a flange with a blind bore 5, an adapting bolt 11 having an external tapered surface and a threaded axial hole 12, a cylindrical sleeve element 14 having an internal tapered surface, a threaded member 22 for engaging the adapting bolt 11 to displace the bolt with respect to the sleeve element 14, and a support piece 17 engaging the sleeve element 14.

Allowable Subject Matter

Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 10-13 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112 and to include all of the limitations of the base claim and any intervening claims.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Babbitt, Jr., Schafer et al., Lin, Aarre et al., Durand, and European Patent 477,707 show similar coupling assemblies.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Harry C. Kim whose telephone number is (703) 308-2248.

Any inquiry of a general nature or relating to the status of this application should be directed to the Tech Center receptionist whose telephone number is (703) 308-2168.

HCK
June 29, 1999


HARRY C. KIM
PRIMARY EXAMINER
TECH CENTER 3600